

Appl. No. 09/738,766
Amendment in response to
Office Action mailed 07/15/2003

REMARKS

In the Office Action mailed 03/30/2004, the Examiner objected to claims 26-29 due to informalities; rejected claims 1-10, 12-14 and 20-29 under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement; rejected claims 1 and 26 under 35 U.S.C. s. 103(a) as unpatentable over Van der Knaap B.V. Fibre Neth ("Van der Knaap") and Substrate Research for Roses: Evaluation of Different Types of Coir, Verbodsnieuws vol. 43 (20): English Abstract, Dutch 1999, one page ("Verbodsnieuws") in view of U.S. Patent no. 3,990,180 to Bunting; rejected claim 2 under 35 U.S.C. s. 103(a) as unpatentable over Van der Knaap and Substrate Research for Roses: Evaluation of Different Types of Coir further in view of U.S. Patent no. 5,942,029 to Spittle; rejected claims 4, 7 and 21 under 35 U.S.C. s. 103(a) as unpatentable over Van der Knaap further in view of Spittle; rejected claims 6 and 27-29 under 35 U.S.C. s. 103(a) as unpatentable over Van der Knaap and Substrate Research for Roses: Evaluation of Different Types of Coir further in view of U.S. Patent no. Des325,714 to Karhiniemi; rejected claims 8, 9, 12-14 and 22-25 under 35 U.S.C. s. 103(a) as unpatentable over U.S. Patent no. Des325,714 to Karhiniemi further in view of U.S. Patent no. 5,331,908 to Loeb; and rejected claim 10 under 35 U.S.C. s. 103(a) as unpatentable over Van der Knaap further in view of Spittle. Claims 1-5, 11 and 15-21 and 26 have been cancelled. Claims 6, 8, 9, 12, 22, 23, 27, 28, and 29 have been amended. New claims 30-33 have been added. Reconsideration of the new and amended claims having regard to the following comments is respectfully requested. It is submitted that the new and amended claims are patentable over the prior art of record.

According to the prior art method disclosed at page 1, line 20 of the disclosure, from the applicant's own knowledge in his reforestation business, at least

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7 months was required to develop the coniferous tree seedling roots so that the plug used in reforestation of coniferous forests would be sufficiently hardy. Using the embodiment of the invention in the case of the transplanted mini-plug, the growing period is from 4.5 to at least 7.5 months (6 to 12 weeks in the mini-tray, page 5, line 19, plus up to 6 weeks in the greenhouse, page 5, lines 27-28, and at least 3 months after transplanting) and preferably less than 7 months (page 6, line 7-8). Using the method of the invention in the case of the standard size plug, the growing period is from 4.5 to at least 6 months (page 6, lines 27-28) and preferably less than 7 months (page 7, lines 1-2).

Nowhere in the cited prior art is the claimed method disclosed, nor are the benefits of the claimed method in manufacturing coniferous tree seedlings suggested. It is submitted therefore that the amended claims are allowable, and issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

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I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Bruce M. Green Reg. No. 30,524
Name of Person Signing Certification



September 30, 2004

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